



MONTANA STATE HOSPITAL RESIDENTIAL CARE UNIT POLICY AND PROCEDURE

EXPIRATION OF COMMITMENT FOR RESIDENTIAL CARE UNIT RESIDENTS

Effective Date: December 17, 2008

Policy #: RCU- 02

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- I. PURPOSE:** To establish procedure to be followed in the event that a resident's civil commitment to Montana State Hospital expires while they are in the Residential Care Unit program awaiting discharge to the community.
- II. POLICY:** Residents of the Residential Care Unit program will remain on their civil commitment to Montana State Hospital, however, if the commitment expires, they will be given a choice to remain voluntarily in the program or leave without restriction.

A Residential Care Unit resident not subject to a civil commitment may return to a hospital treatment program if necessary for medical or other reasons. If necessary, a professional person may petition for commitment as required by Montana Statute.

III. DEFINITIONS:

Commitment – legal basis for holding a person involuntarily for the purpose of treatment. Civil commitment procedures are described in Section 53 of the Montana Code, Criminal commitments are described in Section 46.

IV. RESPONSIBILITIES:

Program Manager – To administer the Resident Care Unit program.

V. PROCEDURES:

- A. Residential Care Unit residents will remain on their civil commitment to Montana State Hospital while in the program even though provision of "hospital care" has ended. This provides a basis for returning the resident to a hospital treatment program if necessary and discharge to the community under conditional release provisions.
- B. In the event that a civil commitment expires while a resident is in the Residential Care Unit program, the voluntary agreement for entry into the program may provide a basis for continuing involvement. A person remaining in the Residential Care Unit program under a voluntary agreement may be transferred to a Hospital treatment unit if hospitalization is necessary for medical or other reasons.

VI. REFERENCES: 53-21-180 through 187, M.C.A.

VII. COLLABORATED WITH: Hospital Administrator, Medical Director, Health Information

STAFFING PROCEDURES FOR THE RESIDENTIAL CARE UNIT

Director, Social Work Discipline Chief/Admissions Coordinator

- VIII. RESCISSIONS:** None, new policy
- IX. DISTRIBUTION:** Residential Care Unit Program Policy and Procedure Manual
- X. REVIEW AND REISSUE DATE:** December 2011
- XI. FOLLOW-UP RESPONSIBILITY:** Residential Care Unit Program Manager
- XII. ATTACHMENTS:** None

_____/_____/_____
Ed Amberg Date
Hospital Administrator

_____/_____/_____
Janette Reget Date
Residential Services Program Manager